REMARKS

This is intended as a full and complete response to the Office Action dated April 4, 2007, having a shortened statutory period for response set to expire on July 4, 2007. Please reconsider the claims pending in the application for reasons discussed below.

In the specification, the Abstract has been amended to correct minor editorial problems.

Claims 1-53 are pending in the application. Claims 1-17 and 20-53 remain pending following entry of this response. Claims 9 and 52 have been amended. Claims 18 and 19 have been cancelled. Applicant submits that the amendments and new claims do not introduce new matter.

Drawing Objections

The drawings are objected to for including reference characters not mentioned in the description. Applicants have made appropriate amendments to the specification to overcome this objection.

Specification Objections

The specification has been objected to for the improper use of the term "UNIX", which the Examiner requires be capitalized and associated with appropriate generic terminology. Applicants have made appropriate amendments.

Claim Objections

Claim 52 is objected to for a minor formality. Applicants have made an appropriate amendment.

Claim Rejections - 35 U.S.C. § 102(e)

Claims 1-53 stand rejected under 35 U.S.C. § 102(e) as being anticipated by *MacKenzie* (US Patent No. 7,149,311*)* (hereinafter "*MacKenzie*").

Applicants respectfully traverse this rejection.

"A claim is anticipated only if each and every element as set forth in the claim is

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found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claim. *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990).

<u>Regarding claims 1, 20, 31, 36, and 47</u>

In this case, *MacKenzie* does not disclose "each and every element as set forth in the claim". For example, *MacKenzie* does not disclose the limitation, as recited in amended claim 1, of "rendering the disabled on-demand resource unavailable for use by users of the computerized apparatus, wherein the disabled on-demand resource is a hardware resource of the computerized apparatus". Claims 20, 31, 36, and 47 recite a similar limitation. The Examiner has not specifically rejected this claim however the examiner cites to *MacKenize* at column 6, lines 34-35 and 43-48; column 16, lines 9-38; and column 14, line 56, as disclosing methods which deal with the enablement or disablement of the on-demand resource discussed in *MacKenzie*. However, nowhere in those cited passages or any other passages, does *MacKenzie* disclose a method where a hardware on-demand resource, on a computerized apparatus, is being disabled and no longer available for use by users of the computerized apparatus. In fact, given the objective of the *MacKenzie* system, it is clear that *MacKenzie* does not, and would not, teach disabling a hardware resource in the system.

MacKenzie discloses a system for an interactive authentication or key exchange protocol where a user can disable the future use of a private key, pertaining to a specific device, by sending a request to a server that is part of the interactive authentication or key exchange process between the device and the server. See, e.g., *MacKenzie* at columns 5 and 6. The server is available for use by any number of devices which are initialized to exchange protocol information with that server. See, e.g., *MacKenzie* at column 7, lines 10-13; and figure 4. Thus, in the event that a user of one of those devices wants to disable the server from exchanging protocol information which pertains

to that specific device, it would be non-sensical to disable a hardware on-demand resource for all users of that server. Doing so would disable the server from being available to all other user devices for protocol exchange and *MacKenzie* is only concerned with disabling a server for use by a single device which was potentially stolen. See *MacKenzie* at column 6, lines 34-42. Thus, *MacKenzie* does not disclose any method where an on-demand hardware resource is disabled at the request of a user. The end result of the disablement method in *MacKenzie* is the server storing a unique identifier, for a device requesting key disabling, on a "blacklist", thereby preventing the server from responding to requests from the device in the future. There is no disabling of server hardware and the resources (hardware or otherwise) of the server are still fully functional for all other users of the server. See, e.g., *MacKenzie* column 17, lines 9-10.

Accordingly, for all the forgoing reasons, Applicants submit that *MacKenzie* does not disclose a method, computer-readable medium, or system that includes the steps recited by claims 1, 20, 31, 36, and 47, and therefore respectfully requests that this rejection be withdrawn.

Regarding claims 2-8, 21-30, 32-35, 37, 48-53

Claims 2-8, 21-30, 32-35, 37, 48-5 each ultimately depend from one of claims 1, 20, 31, 36, or 47. As Applicants believe the above remarks demonstrate that the base claims are allowable, Applicants believe that the respective dependent claims are also allowable, and allowance of these claims is respectfully requested.

Regarding claim 9

Amended claim 9 recites the same limitation as discussed above for amended claim 1 and therefore, Applicants believe, claim 9 is also in condition for allowance on this basis alone. Furthermore, amended claim 9 also recites the limitations of: "encrypting a value to produce an encrypted value wherein the encrypting is done using an encryption key selected from one of (i) the decrypted data and (ii) the first key"; and "decrypting the encrypted value to produce a decrypted value wherein the decrypting is

done using (i) the first key if the value was encrypted using the decrypted data as the encryption key and (ii) the decrypted data if the value was encrypted using the first key as the encryption key". These limitations are similar to the limitations of canceled claims 18 and 19, respectively. As an initial matter, Applicants note that while the Examiner included claim 18 in the general statement of rejection under 35 U.S.C. § 102(e), the Examiner provided no specific basis for rejecting claim 18. As a result, the status of claim 18 remains unclear. Regarding canceled claim 19, the Examiner suggests that *MacKenzie* discloses these limitations at column 13, line 11 to column 14, line 12. However, nowhere in any of the sections cited by the Examiner are the limitations of claim 19 disclosed.

The Examiner points to *MacKenzie* at column 13 and 14 and suggests that because the variable "b" is a function of a key, it is therefore also a key. However, one skilled in the art would understand that just because something is a function of a key does not imply that it is itself a key. Whether a value is a key depends on whether it is *used* as a key (i.e., to seal or unseal, or encrypt or decrypt). The cited section of *MacKenzie* does not disclose of the variable "b" being used in anyway other than being compared to another variable, which is not the function of a key. Furthermore, the limitations of canceled claim 19 (now incorporated into amended claim 9) recites much more than just the use of a key; rather, it recites a decryption method which makes use of two different keys depending on the way a value was encrypted. Thus, even assuming that the variable "b" of *MacKenzie* is a key, such an analogy is utterly insufficient to serve as a disclosure of the limitations of canceled claim 19 as a whole. Further, it is unclear as to which key (in the claim) the Examiner analogizes "b" to; the limitation recites the use of a first key and decrypted data which may be used as an encryption key.

Accordingly, for all the forgoing reasons, individually and collectively, Applicants submit that *MacKenzie* does not disclose a method, computer-readable medium, or system that includes the steps recited by claim 9, and therefore respectfully requests that this rejection be withdrawn.

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Regarding claims 10-17

Claims 10-17 each ultimately depend from claim 9. As Applicants believe the above remarks demonstrate that the base claim is allowable, Applicants believe that the respective dependent claims are also allowable, and allowance of these claims is respectfully requested.

Regarding claims 38 and 46

MacKenzie does not disclose the limitation, as recited in claims 38 and 46, of "sending the encrypted random value to the secure storage element, wherein the secure storage element is configured to decrypt the encrypted random value . . .". When rejecting those claims, the examiner cites to *MacKenzie* at column 10, lines 37-53; and column 16, lines 9-38, respectively. However, none of the cited sections makes any reference to a secure storage element, and furthermore, neither section makes reference to a secure storage element which is configured to decrypt an encrypted random value. In fact, reading *MacKenzie* as teaching a secure storage element is inconsistent with the clear teachings of *MacKenzie* which explicitly states that the techniques disclosed do not assume tamper-resistant devices but take advantage of the network nature of the device in order to provide the security that the invention discloses. See *MacKenzie* at column 3, lines 61-65. The cited sections by the Examiner also make no reference to random values being used in a validation process as recited by claims 38 and 46. *MacKenzie* only discloses the possibility that an attacker might send random values to a server to perform a denial-of-service attack and this is not the same as using random values for validation purposes as recited in claims 38 and 46.

Accordingly, for all the forgoing reasons, individually and collectively, Applicant submit that *MacKenzie* does not disclose a method, computer-readable medium, or system that includes the steps recited by claims 38 and 39, and therefore respectfully requests that this rejection be withdrawn.

Therefore, the claims are believed to be allowable, and allowance of the claims is respectfully requested.

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<u>Conclusion</u>

Having addressed all issues set out in the office action, Applicants respectfully submit that the claims are in condition for allowance and respectfully request that the claims be allowed.

Respectfully submitted, and
S-signed pursuant to 37 CFR 1.4,

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